Amendments to the Claims:

Listing of Claims:

Claim 1 (Currently Amended): A semiconductor device comprising:

a semiconductor layer;

a first insulating film formed on said semiconductor layer;

a first electrode layer formed on said first insulating film;

B3 ~~an~~ a plurality of element isolating ~~region~~ regions comprising an element isolating insulating film formed to extend through said first electrode layer and said first insulating film to reach an inner region of said semiconductor layer, said element isolating ~~region~~ regions isolating an element region and being self-aligned with said first electrode layer;

a second insulating film formed on said first electrode layer ~~and~~ across said element isolating ~~region~~ regions, an open portion exposing a surface of said first electrode layer being formed in said second insulating film; and

a second electrode layer formed on said second insulating film and said exposed surface of said first electrode layer, said second electrode layer being electrically connected to said first electrode layer via said open portion, said first and second electrode layers including a gate electrode, said open portion having a first width in a direction of a gate length of said gate electrode and a second width in a direction perpendicular to the direction of the gate length, the second width being greater than the first width, the open portion extending in a direction of the second width across the element isolating regions.

Claim 2 (Original): A semiconductor device comprising:

a semiconductor layer;

a first insulating film formed on said semiconductor layer;

a first electrode layer formed on said first insulating layer;

an element isolating region comprising an element isolating insulating film formed to extend through said first electrode layer and said first insulating film to reach an inner region of the semiconductor layer, said element isolating region isolating an element region and being self-aligned with said first electrode layer;

a second insulating film formed on said first electrode layer and said element isolating region, an open portion exposing a surface of said first electrode layer being formed in said second insulating film;

a second electrode layer formed on said second insulating film; and

a third electrode layer formed on said second electrode layer and said exposed surface of said first electrode layer, said third electrode layer being electrically connected to said first electrode layer via said open portion.

Claim 3 (Previously Presented): The semiconductor device according to claim 1, wherein said gate electrode is a gate electrode of a selective transistor included in a NAND type flash memory.

Claim 4 (Original): The semiconductor device according to claim 2, wherein said first, second and third electrodes comprise a gate electrode of a selective transistor included in a NAND type flash memory.

Claim 5 (Currently Amended): The semiconductor device according to claim 1, which is a semiconductor device in a memory cell array region, comprising:

said semiconductor layer;

said first insulating film formed on said semiconductor layer;

said first electrode layer formed on said first insulating film;

said element isolating ~~region~~ regions comprising an element isolating insulating film formed to extend through said first electrode layer and said first insulating film to reach an inner region of said semiconductor layer, said element isolating ~~region~~ regions isolating an element region and being self-aligned with said first electrode layer;

said second insulating film formed on said first electrode layer and said element isolating ~~region~~ regions; and

said second electrode layer formed on said second insulating film;

wherein a surface of said element isolating ~~region~~ regions of said memory cell array region is arranged below a surface of said first electrode layer.

Claim 6 (Original): The semiconductor device according to claim 2, which is a semiconductor device in a memory cell array region, comprising:

said semiconductor layer;

said first insulating film formed on said semiconductor layer;

said first electrode layer formed on said first insulating layer;

said element isolating region comprising an element isolating insulating film formed to extend through said first electrode layer and said first insulating film to reach an inner region of said semiconductor layer, said element isolating region isolating an element region and being self-aligned with said first electrode layer;

said second insulating film formed on said first electrode layer and said element isolating region;

said second electrode layer formed on said second insulating film; and

said third electrode layer formed on said second electrode layer;

wherein a surface of said element isolating region of said memory cell array region is arranged below a surface of said first electrode layer.

Claim 7 (Original): The semiconductor device according to claim 5, wherein said first electrode layer performs a function of a floating gate and said second electrode layer performs a function of a control gate in said memory cell array region.

Claim 8 (Original): The semiconductor device according to claim 6, wherein said first electrode layer performs a function of a floating gate and said second and third electrode layers perform a function of a control gate in said memory cell array region.

Claim 9 (Original): The semiconductor device according to claim 1, wherein said first and second electrode layers comprise a gate electrode in a peripheral circuit region formed around a memory cell array region.

Claim 10 (Original): The semiconductor device according to claim 1, wherein said first and second electrode layers comprise a gate electrode in a peripheral circuit region formed around a memory cell array region, and said second insulating film of said peripheral circuit region being removed completely.

Claim 11 (Currently Amended): The semiconductor device according to claim 1, further comprising a connecting member arranged above one of said element isolating ~~region~~ regions and electrically connected to said second electrode layer.

Claim 12 (Original): The semiconductor device according to claim 2, further comprising a connecting member arranged above said element isolating region and electrically connected to said third electrode layer.

Claim 13 (Original): The semiconductor device according to claim 1, further comprising a connection member arranged above said element region in which said second insulating film is present and electrically connected to said second electrode layer.

Claim 14 (Currently Amended): The semiconductor device according to claim 1, further comprising a wiring electrically connected to said second electrode layer via a connecting member, wherein said wiring and said first electrode layer are connected to each other via said second electrode layer extending from said element region onto one of said element isolating ~~region~~ regions.

Claim 15 (Original): The semiconductor device according to claim 2, further comprising a wiring electrically connected to said third electrode layer via a connecting member, wherein said wiring and said first electrode layer are connected to each other via said third electrode layer extending from said element region onto said element isolating region.

Claim 16 (Original): The semiconductor device according to claim 1, which is a semiconductor device in which said first and second electrode layers form a gate electrode, and a plurality of said gate electrodes are arranged on a chip, wherein widths of said open portions of said gate electrodes are equal to each other.

Claim 17 (Original): The semiconductor device according to claim 2, which is a semiconductor device in which said first, second and third electrode layers form a gate electrode, and a plurality of said gate electrodes are arranged on a chip, wherein widths of said open portions of said gate electrodes are equal to each other.

Claim 18 (Original): The semiconductor device according to claim 1, which is a semiconductor device in which said first and second electrode layers form a gate electrode, wherein a plurality of said open portions are formed within said gate electrodes and the widths of said open portions are equal to each other.

Claim 19 (Original): The semiconductor device according to claim 2, which is a semiconductor device in which said first, second and third electrode layers form a gate electrode, wherein a plurality of said open portions are formed within said gate electrodes and the widths of said open portions are equal to each other.

Claim 20 (Original): The semiconductor device according to claim 18, wherein said open portions are formed to cross each other.

Claim 21 (Original): The semiconductor device according to claim 19, wherein said open portions are formed to cross each other.

Claim 22 (Original): The semiconductor device according to claim 18, wherein the distances between the adjacent open portions are equal to each other.

Claim 23 (Original): The semiconductor device according to claim 19, wherein the distances between the adjacent open portions are equal to each other.

Claim 24 (Original): The semiconductor device according to claim 1, which is a semiconductor device comprising a plurality of selective transistors formed said first and second electrode layers in a NAND type flash memory, and a peripheral circuit transistor formed said first and second electrode layers,

said second insulating film of said plural selective transistors includes said open portion, and said second insulating film of said peripheral circuit transistor includes a plurality of said open portions, and a first distance between the adjacent open portions of said plural selective transistors is equal to a second distance between the adjacent open portions within a gate electrode of said peripheral circuit transistor.

Claim 25 (Original): The semiconductor device according to claim 2, which is a semiconductor device comprising a plurality of selective transistors formed said first, second and third electrode layers in a NAND type flash memory, and a peripheral circuit transistor formed said first, second and third electrode layers,

said second insulating film of said plural selective transistors includes said open portion, and said second insulating film of said peripheral circuit transistor includes a plurality of said open portions, and a first distance between the adjacent open portions of said plural selective transistors is equal to a second distance between the adjacent open portions within a gate electrode of said peripheral circuit transistor.

Claim 26 (Original): The semiconductor device according to claim 24, wherein said second distance is defined on a basis of said first distance.

Claim 27 (Original): The semiconductor device according to claim 25, wherein said second distance is defined on a basis of said first distance.

Claim 28 (Currently Amended): The semiconductor device according to claim 1, ~~which is a semiconductor device in which a gate electrode is formed of said first and second electrode layers, and said open portion is formed in said gate electrode, wherein said open portion extends from above said element region onto said element isolating region in a direction of a channel width of said gate electrode~~ where the second width is a channel width of said gate electrode.

Claim 29 (Original): The semiconductor device according to claim 2, which is a semiconductor device in which a gate electrode is formed of said first, second and third electrode layers, and said open portion is formed in said gate electrode, wherein said open portion extends from above said element region onto said element isolating region in a direction of a channel width of said gate electrode.

Claim 30 (Original): The semiconductor device according to claim 1, wherein a thickness of said second electrode layer when deposited is at least half a width of said open portion.

Claim 31 (Original): The semiconductor device according to claim 2, wherein a thickness of said third electrode layer when deposited is at least half a width of said open portion.

Claim 32 (Previously Presented): The semiconductor device according to claim 1, wherein an electric resistance of said second electrode layer is lower than that of said first electrode layer, and said second electrode layer comprises a metal layer including a high melting point or a lamination layer film comprising a metal silicide layer including a high melting point and a polysilicon layer.

Claim 33 (Original): The semiconductor device according to claim 2, wherein an electric resistance of said second and third electrode layers is each lower than that of said first electrode layer, and said second and third electrode layers comprise of a metal layer including a high melting point or a lamination layer film comprising a metal silicide layer including a high melting point and a polysilicon layer.

Claim 34 (Previously Presented): The semiconductor device according to claim 1, wherein said second insulating film comprises a complex insulating film including a silicon nitride film.

Claim 35 (Original): The semiconductor device according to claim 2, wherein said second insulating film comprises of a complex insulating film including a silicon nitride film.

Claim 36 (Previously Presented): The semiconductor device according to claim 1, which is a semiconductor device in which said second insulating film remains at an edge portion of said gate electrode.

Claim 37 (Currently Amended): The semiconductor device according to claim 2, which is a semiconductor device in which a gate electrode is formed of said first, second and

third electrode layers, wherein said second insulating film remains at an edge ~~potion~~ portion of said gate electrode.

Claim 38 (Original): A semiconductor device, which is a NAND type flash memory comprising a memory cell array region provided a memory transistor including a first electrode layer performing a function of a floating gate and a second electrode layer performing a function of a control gate, and a selective gate region provided a selective transistor formed adjacent to said memory cell array region, and a peripheral circuit region arranged around said memory cell array region, said NAND type flash memory comprising:

a semiconductor layer common with said memory cell array region, said selective gate region and said peripheral circuit region;

a first insulating film formed on said semiconductor layer, said first insulating film being formed commonly with said memory cell array region, said selective gate region and said peripheral circuit region;

a first electrode layer formed on said first insulating film commonly with said memory cell array region, said selective gate region and said peripheral circuit region;

an element isolating region comprising an element isolating insulating film extending through said first electrode layer and said first insulating layer to reach an inner region of said semiconductor layer, said electrode isolating region being formed in each of said memory cell array region, said selective gate region and said peripheral circuit region, and said electrode isolating region isolating an element region and being self-aligned with said first electrode layer;

a second insulating film formed on said first electrode layer and said element isolating region commonly with said memory cell array region, said selective gate region and said peripheral circuit region, said second insulating film in said selective gate region and said

peripheral circuit region including an open portion exposing a surface of said first electrode layer; and

a second electrode layer formed on said second insulating film and said exposed surface of said first electrode layer, said second electrode layer being formed commonly with said memory cell array region, said selective gate region and said peripheral circuit region and being electrically connected to said first electrode layer via said open portion.

Claim 39 (Original): A semiconductor device, which is a NAND type flash memory comprising a memory cell array region provided a memory transistor including a first electrode layer performing a function of a floating gate and a second electrode layer performing a function of a control gate, and a selective gate region provided a selective transistor formed adjacent to said memory cell array region, and a peripheral circuit region arranged around said memory cell array region, said NAND type flash memory comprising:

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a semiconductor layer common with said memory cell array region, said selective gate region and said peripheral circuit region;

a first insulating film formed on said semiconductor layer, said first insulating film being formed commonly with said memory cell array region, said selective gate region and said peripheral circuit region;

a first electrode layer formed on said first insulating film commonly with said memory cell array region, said selective gate region and said peripheral circuit region;

an element isolating region comprising an element isolating insulating film extending through said first electrode layer and said first insulating layer to reach an inner region of said semiconductor layer, said element isolating region being formed in each of said memory cell array region, said selective gate region and said peripheral circuit region, and said element

isolating region isolating an element region and being self-aligned with said first electrode layer;

a second insulating film formed on said first electrode layer and said element isolating region commonly with said memory cell array region, said selective gate region and said peripheral circuit region, said second insulating film in said selective gate region including a open portion exposing between a surface of said first electrode and partly a surface of said element isolating region formed adjacent to said first electrode layer; and

a second electrode layer formed on said second insulating film and said exposed surface of said first electrode layer commonly with said memory cell array region, said selective gate region and said peripheral circuit region, said second electrode layer being electrically connected to said first electrode layer via said open portion.

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Claim 40 (Original): A method of manufacturing a semiconductor device in a selective gate region provided a selective gate transistor formed adjacent to a memory cell array region, comprising:

forming a first insulating film on a semiconductor layer;

forming a first electrode layer on said first insulating film;

forming an element isolating region comprising an element isolating insulating film extending through said first electrode layer and said first insulating film to reach an inner region of said semiconductor layer, said element isolating region isolating an element region;

forming a second insulating film on said element isolating region and said first electrode layer;

forming an open portion within said second insulating film to expose a surface of the first electrode layer;

forming a second electrode layer on said second insulating film and said exposed surface of said first electrode layer; and

selectively removing said first electrode layer, said second insulating film and said second electrode layer to form a gate electrode.

Claim 41 (Original): A method of manufacturing a semiconductor device in a selective gate region provided a selective gate transistor formed adjacent to a memory cell array region, comprising:

forming a first insulating film on a semiconductor layer;

forming a first electrode layer on said first insulating film;

forming an element isolating region comprising an element isolating insulating film extending through said first electrode layer and said first insulating film to reach an inner region of said semiconductor layer, said element isolating region isolating an element region;

forming a second insulating film on said element isolating region and said first electrode layer;

forming a second electrode layer on said second insulating film;

forming an open portion within said second insulating film to expose a surface of said first electrode layer;

forming a third electrode layer on said second electrode layer and said exposed surface of said first electrode layer; and

selectively removing said first electrode layer, said second insulating film, said second electrode layer and said third electrode layer to form a gate electrode.

Claim 42 (Original): A method of manufacturing a semiconductor device in a selective gate region provided a selective gate transistor formed adjacent to a memory cell array region, comprising:

forming a first insulating film on a semiconductor layer;

forming a first electrode layer on said first insulating film;

forming an element isolating region comprising an element isolating insulating film extending through said first electrode layer and said first insulating film to reach an inner region of said semiconductor layer, said element isolating region isolating an element region;

forming a second insulating film on said element isolating region and said first electrode layer;

forming a second electrode layer on said second insulating film;

B3 forming a first mask layer on said second electrode layer;

forming a groove comprising a pair of mutually facing side surfaces in said first mask layer, said groove being formed to expose partly a surface of said second electrode layer;

forming a side wall comprising a second mask layer on said exposed side surface of said groove;

selectively removing said second electrode layer and said second insulating film by using said first and second mask layers to form an open portion exposing a surface of said first electrode layer;

removing said first and second mask layers;

forming a third electrode layer on said second electrode layer and said exposed surface of said first electrode layer; and

selectively removing said first electrode layer, said second insulating film, said second electrode layer and said third electrode layer to form a gate electrode.

Claim 43 (Currently Amended): The method of manufacturing a semiconductor device according to claim 40, wherein said second insulating film remains at an edge ~~potion~~ portion of said gate electrode when formed said gate electrode.

Claim 44 (Currently Amended): The method of manufacturing a semiconductor device according to claim 41, wherein said second insulating film remains at an edge ~~potion~~ portion of said gate electrode when formed said gate electrode.

Claim 45 (Currently Amended): The method of manufacturing a semiconductor device according to claim 42, wherein said second insulating film remains at an edge ~~potion~~ portion of said gate electrode when formed said gate electrode.

Claim 46 (Original): The method of manufacturing a semiconductor device according to claim 40, further comprising removing an upper portion of said element isolating insulating film after formation of said element isolating region to position said removed upper portion of said element isolating insulating film below a surface of said first electrode layer.

Claim 47 (Original): The method of manufacturing a semiconductor device according to claim 41, further comprising removing an upper portion of said element isolating insulating film after formation of said element isolating region to position said removed upper portion of said element isolating insulating film below a surface of said first electrode layer.

Claim 48 (Original): The method of manufacturing a semiconductor device according to claim 42, further comprising removing an upper portion of said element isolating insulating film after formation of said element isolating region to position said removed upper portion of said element isolating insulating film below a surface of said first electrode layer.

Claim 49 (Original): The method of manufacturing a semiconductor device according to claim 40, further comprising forming a connecting member electrically connected to said second electrode layer, said connecting member being formed above said element isolating region.

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Claim 50 (Original): The method of manufacturing a semiconductor device according to claim 41, further comprising forming a connecting member electrically connected to said third electrode layer, said connecting member being formed above said element isolating region.

Claim 51 (Original): The method of manufacturing a semiconductor device according to claim 42, further comprising forming a connecting member electrically connected to said third electrode layer, said connecting member being formed above said element isolating region.

Claim 52 (Original): The method of manufacturing a semiconductor device according to claim 40, further comprising forming a connecting member electrically connected to said second electrode layer, said connecting member being formed above said element region in which said second insulating film is present.

Claim 53 (Original): The method of manufacturing a semiconductor device according to claim 41, further comprising forming a connecting member electrically connected to said third electrode layer, said connecting member being formed above said element region in which said second insulating film is present.

Claim 54 (Original): The method of manufacturing a semiconductor device according to claim 42, further comprising forming a connecting member electrically connected to said third electrode layer, said connecting member being formed above said element region in which said second insulating film is present.

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Claim 55 (Original): The method of manufacturing a semiconductor device according to claim 40, wherein said second electrode layer is formed in a thickness that is at least half a width of said open portion.

Claim 56 (Original): The method of manufacturing a semiconductor device according to claim 41, wherein said third electrode layer is formed in a thickness that is at least half a width of said open portion.

Claim 57 (Original): The method of manufacturing a semiconductor device according to claim 42, wherein said third electrode layer is formed in a thickness that is at least half a width of said open portion.

Claim 58 (Original): The method of manufacturing a semiconductor device according to claim 40, wherein a surface of said second electrode layer is planarized after formation of said second electrode layer.

Claim 59 (Original): The method of manufacturing a semiconductor device according to claim 41, wherein a surface of said third electrode layer is planarized after formation of said third electrode layer.

Claim 60 (Original): The method of manufacturing a semiconductor device according to claim 42, wherein a surface of said third electrode layer is planarized after formation of said third electrode layer.

Claim 61 (Canceled).

Claim 62 (Currently Amended): The semiconductor device according to claim ~~61~~ 1, wherein ~~said element isolating insulating film is provided between said element regions, and includes~~ a groove is formed in said element isolating insulating film, ~~and said groove~~ is located under said open portion, and has a same shape as said open portion.